

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**STANLEY FLOREK,**

**Plaintiff,**

**v.**

**1:08-CV-0919**

**COMMISSIONER OF SOCIAL SECURITY,**

**Defendant.**

**APPEARANCES:**

**FOR THE PLAINTIFF:**

MARGOLIUS LAW OFFICE  
7 Howard Street  
Catskill, New York 12414

**OF COUNSEL:**

PETER M. MARGOLIUS, ESQ.

**FOR THE DEFENDANT:**

HON. ANDREW T. BAXTER  
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**W**SOCIAL SECURITY ADMINISTRATION  
Office of the General Counsel  
Region II  
26 Federal Plaza - Room 3904  
New York, New York 10278

MARY ANN SLOAN, ESQ.  
Acting Chief Counsel

**NORMAN A. MORDUE, CHIEF U. S. DISTRICT JUDGE**

**ORDER**

The above matter comes to me following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed on the 5<sup>th</sup> day of October 2009. Following ten days from the service

thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

**ORDERED** that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The Defendant's motion for judgment on the pleadings is granted, the Commissioner's determination of no disability is affirmed, and plaintiff's complaint is dismissed in all respects.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

**IT IS SO ORDERED.**

Dated: October 21, 2009  
Syracuse, New York

  
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Norman A. Mordue  
Chief United States District Court Judge